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| 08/046,337 | 04/12/93 | DUNMIRE | |

C 13119-1-3

RIVELL, J. EXAMINER

34M1/0723

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| ART UNIT | PAPER NUMBER |
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3407

DATE MAILED: 07/23/93

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 4/12/93 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 10-23 are pending in the application.
Of the above, claims are withdrawn from consideration.
2. ☒ Claims 1-9 have been cancelled.
3. ☐ Claims are allowed.
4. ☒ Claims 10-23 are rejected.
5. ☐ Claims are objected to.
6. ☐ Claims are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. ; filed on
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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Art Unit: 3407

A preliminary amendment filed concurrently with the specification has been entered. Accordingly claims 1-9 have been cancelled. Claims 10-23 are pending.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 C.F.R. § 1.75(d)(1) and M.P.E.P. § 608.01(1). Correction of the following is required: The terminology of claims 10 and 18 specifically recite "first and second conduits each having a first and second end, said first and second conduits in a first relationship with said first ends of said first and second conduits being substantially adjacent and collinear". The specification lacks any discussion or description of current figures which illustrates first or second conduits, first and second ends of each or a first relationship between first ends of each conduit.

Claims 10-21 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3407

Claims 22-23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Brewer et. al. The claimed method is the method clearly practiced by the patentee when, for example, proceeding from the embodiment of fig. 1c to the embodiment of fig. 1a. The "clamp" is read on the bolt/flange connection which is inherently tightened to hold the "portions" in "a substantially leak-free manner.

Claims 10-21 are further rejected under 35 U.S.C. § 102(b) as being anticipated by applicants prior art instant figure 7. The device of prior art fig. 7 is a "backflow prevention valve". The "'housing" is read on the entire assembly from inlet conduit 124 and its "inlet opening" and corresponding "inflow direction" to the outlet conduit 126 and its "outlet opening" and corresponding "outflow direction". "Backflow prevention valve means" are clearly shown at 154a, 154b and are "disposed in a portion of said housing". The "first conduit" is read on the conduit section immediately downstream of valve assembly 154a whose "first end" is "adjacent and collinear" with the "first end" of the "second conduit" read at the conduit immediately upstream of valve assembly 154b. The "first means" is read on the bolt/flange connection thereat which will clearly permit "movement of said inlet opening with respect to said outlet opening to establish a preferred outflow direction, with respect to said inflow direction". Re claims 13, 16 and 17 flange

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couplings are inherently "leak-free". A "gasket" is believed to be inherent. The remaining limitations of the remaining claims are believed to be readily apparent.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Rivell whose telephone number is (703) 308-2599.

j.r.
July 20, 1993


JOHN RIVELL
PRIMARY EXAMINER
ART UNIT 347